

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :
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Plaintiff, :
 :
-v- :
 :
PLATINUM INVESTMENT CORP., et al., :
 :
Defendants. :
----- x

02 Civ. 6093 (JSR)

ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/28/09
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JED S. RAKOFF, U.S.D.J.

Alice Sidoti has moved to dissolve the Court's Order, originally entered October 23, 2002, freezing certain assets of the now-deceased Lee S. Sidoti. Specifically, Ms. Sidoti requests that the asset freeze be lifted with regard to funds in a Bank of America account purportedly held in the names of Lee S. Sidoti and Alice Sidoti; she claims a right of survivorship to these funds.

However, Ms. Sidoti has not submitted proof of the account or of her right of survivorship. Her motion is therefore denied without prejudice to her making a renewed motion with the appropriate documentation appended.¹

SO ORDERED.

Dated: New York, NY
July 23, 2009


JED S. RAKOFF, U.S.D.J.

¹ The Court notes that Ms. Sidoti incorrectly alleges that the Bank of America account was never subject to an order of this Court and that any order of this Court freezing the assets therein is illegal. In fact, the Court's October 23, 2003 Order was upheld by the Second Circuit over a challenge by Lee Sidoti. See SEC v. Platinum Investment Corp., 98 Fed. Appx. 33 (2d Cir. 2004). This past procedural history, however, does not bar a motion to dissolve the asset freeze on a ground other than the invalidity of the original order.